SOUTHERN DISTRICT OF NEW	YORK		
WILLET DAVIDSON,	Plaintiff,	X : :	20 G' 0500 (LGG)
		:	20 Civ. 9500 (LGS)
-against-		:	
CYNTHIA BRANN, et al.,		:	<u>ORDER</u>
		:	
	Defendants.	:	
		:	
		X	

LORNA G. SCHOFIELD, District Judge:

INITED STATES DISTRICT COLIDT

WHEREAS, on April 14, 2022, Defendants moved for summary judgment. The same day, Defendants moved to file certain exhibits, which contain Plaintiff's confidential medical information, to their summary judgment briefing under seal. An Order issued May 3, 2022, referred the summary judgment motion to Hon. Stewart D. Aaron, U.S. Magistrate Judge, for a report and recommendation.

WHEREAS, on December 13, 2022, Judge Aaron issued a Report and Recommendation recommending that Defendants' motions be granted. On December 15, 2022, Judge Aaron issued an Amended Report and Recommendation (the "Report"). In recommending summary judgment, the Report persuasively notes the lack of evidence as to any deliberate indifference or other culpable mental state on the part of Defendants, evidence which is necessary to prevail in a constitutional claim challenging the conditions of confinement. The Report also notes the insufficient evidence regarding individual actions by Defendants or exhaustion of administrative remedies. Finally, the Report recommends that the motion to seal Plaintiff's medical records be granted.

WHEREAS, the Report set a deadline for any objections fourteen days from service of the Report. The docket indicates that the Report was mailed to Plaintiff on December 16, 2022. Any objections to the Report were due on December 30, 2022.

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WHEREAS, no objections were timely filed.

WHEREAS, in reviewing a magistrate judge's report and recommendation, a district judge

"may accept, reject, or modify, in whole or in part, the findings or recommendations made by the

magistrate judge." 28 U.S.C. § 636(b)(1)(C). A district judge is required to "determine de novo

any part of the magistrate judge's disposition that has been properly objected to" by any party. Fed.

R. Civ. P. 72(b)(3); accord United States v. Romano, 794 F.3d 317, 340 (2d Cir. 2015). "[W]here

no timely objection has been made, a district court need only satisfy itself that there is no clear error

on the face of the record." Jones v. Berryhill, No. 18 Civ. 11233, 2020 WL 1503507, at *1

(S.D.N.Y. Mar. 30, 2020) (internal citations and quotation marks omitted).

WHEREAS, the Court finds no clear error on the face of the record as to Judge Aaron's

recommendations. It is hereby

ORDERED that the Report is **ADOPTED** in full. Summary judgment is granted to

Defendants.

The Clerk of Court is respectfully directed to close the motion at Dkt. 55 and to terminate

the case.

Dated: January 31, 2023

New York, New York

United States District Judge

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